



Organic Processor / Handler Certification Fact Sheet

The Meaning of Organic: Organic foods are distinguished by three factors; they are produced: (1) by agricultural methods that promote the biological health of the soil and minimize adverse effects on the surrounding environment, (2) without the use of prohibited materials such as synthetic fertilizers or pesticides (or natural substances listed as prohibited), and (3) by food handling methods that ensure the integrity of the product from the field to the buyer's table.

Definition of Handling Certification: Operations or portions of operations that produce or handle agricultural products that are intended to be sold, labeled, or represented as "100 percent organic," "organic," or "made with organic ingredient(s)" must be certified by a USDA Accredited Agent. The NJDA is accredited to certify organic crop, livestock, wildcrafting, and handling (processing) operations. To become certified, applicants must demonstrate compliance with the USDA regulations, 7 *CFR Part 205, National Organic Program; Final Rule* (often referred to as "the rule"). These regulations are accessible through the NOP website at www.ams.usda.gov/nop.

The rule (§205.2) defines processing as "*Cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling, or otherwise manufacturing and includes the packaging, canning, jarring, or otherwise enclosing food in a container.*" Operations that carry out these activities are considered Handlers. Some companies that merely move or trade in organic products that are already packaged or enclosed in impervious containers may be excluded from being certified for organic handling under §205.101(b) of the rule. Excluded operations must still follow the regulations concerning contamination and commingling of organic products. If you are not sure if your company qualifies for exclusion under the rule, call the NJDA Organic Certification Program.

Who has to be Certified? §205.101 of the rule explains the exemption and exclusion provisions for organic growers (producers), food processors (handlers), retailers (stores and markets), and food establishments (restaurants). Handlers whose gross agricultural income from organic products is \$5,000 or less per year are exempt from certification, but must still comply with the organic production and handling requirements of the rule, as well as the labeling and record keeping requirements. Even though they are "exempt" from certain certification requirements, these operations must still be familiar with and follow the regulations for production, handling, labeling, and record keeping. Certain handling operations that act as distributors or warehouseurs may be excluded from the requirements in the rule, except for the requirements for the prevention of commingling and contact with prohibited substances in § 205.272, if the organic products they sell are enclosed in impermeable containers or packages remain in those impermeable containers or packages. For additional information on exemptions and exclusions, see §205.101 of the rule.

Certification procedure: Processors / handlers can apply for certification at any time of the year. To begin the process, applicants order the NJDA Organic Handling Certification Application Packet. The packet includes all of the necessary application forms, a copy of the rule, and current Organic Materials Review Institute (OMRI) listings (the Brand Name and Generic listings) applicants can use as a tool to help identify commonly used, compliant materials.

Handling applications may be submitted at any time of the year. The handler uses the application forms provided to thoroughly document the organic processing or handling system. This includes all material inputs (all ingredients and processing aids), sanitation materials and procedures, audit trail / record

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keeping systems, pest management activities and materials, and livestock care, if applicable. By completing the application forms the applicant generates the “Organic Handling Systems Plan” required by §205.201(a) of the rule. The NJDA organic certification staff reviews new applications in the order they are received. If the application passes this preliminary review, a trained, independent organic inspector visits the facility to verify the organic handling system plan.

The inspection report and system plan is evaluated for compliance with the regulations by NJDA Organic Program staff. Applicants receive a copy of the inspection report and a certification letter detailing the results of the final compliance review. If it is determined the organic system plan and all procedures and activities of the applicant's operation are in compliance with the requirements of the rule, and that the applicant is able to conduct operations in accordance with the system plan, certification is granted. The certification may include requirements for the correction of minor noncompliance within a specified time period as a condition of continued certification. If the review shows a major noncompliance (or multiple noncompliance) with the regulations, a Notice of Noncompliance will be sent to the applicant. If the noncompliance is correctable, the applicant will be given time for corrective actions. Often, a follow-up inspection is necessary to verify correction of a major noncompliance. Resulting inspection fees must be paid by the applicant (there are no additional administrative fees). If the major noncompliance is not correctable, a Notice of Denial of Certification will be combined with the Notice of Noncompliance. If an applicant fails to adequately address an outstanding major noncompliance, a Notice of Denial of Certification will be sent to the applicant.

The entire certification process can take months (the average is 4 to 6 months). Once the processor or handler has been certified, an organic certificate is issued, and is in effect until certification is surrendered, suspended, or revoked. The certified operation must be reviewed and re-inspected each year [§205.406(a)].

Fees: The cost for the handling applicant consists of a certification fee based on gross income from organic products or services (see the Handler Fee Schedule for steps). First time applicants are asked to estimate their yearly sales. Applicants must cover the cost of the inspection, usually about \$550 dollars for initial inspections and update inspections (interim inspections to verify corrections are usually much less).

If you have any questions, or if you would like to receive a Handling Application Order Form, please contact the NJDA Organic Certification Program at:

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